

## KENTUCKY REAL ESTATE APPRAISERS BOARD

### TYPE OF MEETING

Regular Meeting

### DATE AND LOCATION

October 24, 2008 – Board Office

### PRESIDING OFFICER

J.W. Grabeel, Chair

### ROLL CALL

#### Present:

J.W. Grabeel, Chair  
Loren C. Huff, Vice Chair  
Theresa Marshall, Board Member  
Paul Moore, Board Member

#### Present Also:

Larry Disney, Executive Director  
Angie Thomas, Staff Assistant  
James Grawe, Board Counsel  
Dennis Badger, Investigator  
Tom Veit, Investigator

#### Absent:

Dorsey Hall, Board Member

Motion by Paul Moore, second by Theresa Marshall and the Board unanimously approved the September 26, 2008 minutes.

Chair, J.W. Grabeel inquired about the following items that were discussed at the September Board Meeting:

- (1) Digital Signature – Larry advised the Board that all State Boards are addressing the digital signature complaints and defenses on a case by case basis.
- (2) Scanning documents for office – Angie Thomas advised the Board that the new computers were ordered but have not been received at the office. She advised the Board that a work station will be set up for scanning with one of the old computers when the new computers are received.
- (3) Inspector course – The Board will be considering make the course available for any Kentucky appraiser that would like to attend. Larry will research the cost associated with providing the course and make that information available at the November Board meeting.

## EDUCATION

Motion by Paul Moore, second by Loren Huff and the Board unanimously agreed to approve the following education courses for fiscal year 2008-09:

- (1) McKissock, LP – One (1) continuing education course:
  - (a) Land and Site Valuation (Virtual Classroom) – 7 hours of CE
- (2) Appraisal Institute – Cardinal Ohio Chapter – One (1) continuing education course:
  - (a) 31<sup>st</sup> Annual Real Estate Economic Seminar – 2009 Forecast – 7 hours of CE
- (3) Larry McMillen – One (1) continuing education course:
  - (a) National 2008-09 USPAP Update – 7 hours of CE
- (4) Appraisal Mastery Center – One (1) continuing education course:
  - (a) 721 – Residential Field Review – 8 hours of CE
- (5) Appraisal Institute – Two (2) online continuing education courses and one classroom continuing education course:
  - (a) Online – Rates & Ratios: Making Sense of GIMs, OARs and DCF – 7 hours of CE
  - (b) Online – Supervising Appraisal Trainees – 4 hours of CE
  - (c) Condemnation Appraising: Principles and Applications – 21 hours without examination and 22 hours with examination of CE (Classroom)
- (6) Van Education Center – Two (2) Online qualifying education courses:
  - (a) Online Basic Appraisal Principles – 30 hours QE with exam and 29 hours CE without exam
  - (b) Online Basic Appraisal Procedures – 30 hours QE with exam and 29 hours CE without exam

## EXPERIENCE

Motion by Theresa Marshall, second by Paul Moore and the Board unanimously agreed to accept the following:

- (1) Daniel C. Steely – Approve experience for Certified General

Motion by Paul Moore, second by Theresa Marshall and the Board unanimously agreed to reject the following:

- (1) Paul Houle – Reject experience for Certified Residential. He must submit one additional residential appraisal for experience review.
- (2) Chris Richard – Reject experience for Certified Residential. He must submit two additional residential appraisals for experience review.

Mr. Disney advised the Board that there were questions about the appraisal reports submitted from Sherry Spalding, specifically whether the reports were prepared by the appraiser. Mr. Disney requested

that the Board grant permission to Tom Veit to review the applicant log and work files to determine if proper credit had been given to the applicant, or whether the applicant might have actually completed the reports and the supervisor simply signed them originally without credit being given in the body of the original report. Motion by Paul Moore, second by Theresa Marshall and the Board granted Mr. Veit permission to review the files of the applicant Ms. Sherry Spalding.

### CERTIFICATION/LICENSURE

Motion by Loren Huff, second by Theresa Marshall and the Board voted to approve a total of eight (8) individuals for certification/licensure.

- (1) Ben Baker – Associate
- (2) Christopher M. Carmody – Certified General - Reciprocal with Ohio
- (3) Robert M. Cline – Certified General
- (4) Jimmy Jacobs - Associate
- (5) Philip Herbert Losey, II – Associate
- (6) Melissa L. Roundtree – Certified General – Reciprocal with Ohio
- (7) Lauren K. Schaver – Certified Residential – Reciprocal with Ohio
- (8) Daniel C. Steely – Certified General

- B. Christopher M. Carmody – Applicant with prior conviction applying for Certified General by reciprocity from Ohio. Conviction was a DUI in 1999 and 2000. Ohio Board was contacted and was aware of the DUI, per the Ohio Attorney General's office, unless the DUI conviction is felony in nature, such conviction cannot prevent someone from being licensed or certified. Motion by Theresa Marshall, second by Loren Huff and the Board unanimously approved the application for reciprocity. The certification list will be changed to reflect the approval.
- B. The Board had a discussion on requiring background check for appraisers. Mr. James Grawe and Larry Disney will review the matter and present additional information, at a future meeting, about what types of background checks could be available to the Board.

### COMPLAINT

- A. Dennis Badger – Report on the contractor activities
- B. The Board was advised there have been a total of 80 cases filed for 2008.
- C. Agreed Orders:
- (1) Case No. 07-30 – Grievant: KREAB  
Respondent: John Tackett  
Motion by Paul Moore, second by Loren Huff and the Board unanimously approved the agreed order, whereby,
    - (a) Tackett shall be fined the sum of \$2,000.00 with total amount due with the signed agreed order.
    - (b) Tackett agrees that the Board shall have the right to review files for a period of two years from the date of the agreed order

(2) Case No. 06-22 – Grievant: KREAB

Respondent: Harold G. Brantley

Motion by Paul Moore, second by Theresa Marshall and the Board unanimously agreed that respondent shall complete the Appraisal Institute On-line Course Titled "Scope of Work: Expanding Your Range of Services" within six months of the date of the letter dated October 24, 2008.

(3) Case No. 07-19 – Grievant: KREAB

Respondent: Willoughby C. Blocker

Motion by Theresa Marshall, second by Paul Moore and the Board unanimously accepted the settlement, where Mr. Blocker has agreed to retire and submit his name to the ASC as suspended from activity due to retirement. Dismiss with leave to reinstate.

Larry Disney congratulated James Grawe and Dennis Badger on their effective and professional presentation at the Harrington Hearing.

### MISCELLANEOUS

- A. Executive Branch Ethics Commission - Advisory Opinion 08-16
- B. ASB First Exposure Draft of Proposed Changes to the 2010-11 Edition of the Uniform Standards of Professional Appraisal Practice.
- C. Letter from the Attorney General informing the Board of the shortage of hearing officers available. The Board agreed to send a letter about the Board and the situation of completing cases in a timely manner. The letter will also be forward to the Appraisal Subcommittee.
- D. KREAB Regulation change – KAR 30:010
- E. Individuals not completing Agreed Order requirements suspension
- F. A Pass Weikel – Basic Appraisal Principles Course – Tom Allen Instructor. The Board staff was advised that Tom Allen left a course at noon and did not return for a course he was instructing for A Pass Weikel. Motion by Theresa Marshall, second by Paul Moore and the Board granted authority to Larry Disney to proceed with an investigation into this matter.
- G. Shelby Kindred notified the Board that the course required per his final order was not available in Portland, ME but he was able to find the course in Mobile, AL on October 24, 2008 and he has registered for the course. Motion by Loren Huff, second by Paul Moore and the Board unanimously accepted the request.
- H. Respondents that fail to respond to a grievance within the 20 days. Motion by Theresa Marshall, second by Paul Moore and the Board unanimously agreed to rescind the decision made at the September Board meeting where a letter will be sent and give the respondent a 30 day grace period and if the answer is not received within the 30 days, the license will automatically be revoked. A motion was made agreed that all cases where a respondent did not answer will automatically be set for a hearing without an investigation report.
- I. The Board discussed lender pressure and was given copies of appraisal request forms.
- J. The Board advised Larry Disney to review AMC (Appraisal Management Co)

## NEW BUSINESS

- A. November Board Meeting – Thursday, November 20, 2008 – 9:00 a.m.
- B. December 19 Board Hearing – Mark McDonald
- C. December Board Meeting – Immediately following conclusion of hearing

The next Board meeting is scheduled for Thursday, November 20th at 9:00 a.m. at the Board office.

Motion by Loren Huff second by Theresa Marshall and the Board voted unanimously to adjourn the meeting.

  
Chair

  
Staff Assistant